

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CASE NO. 3:23-cv-566-MOC-SCR**

SPINOSO REAL ESTATE GROUP, DLS,	)
LLC, solely in the capacity as court appointed	)
receiver pursuant to that certain Consent	)
Judgment and Stipulated Order for	)
Appointment of Receiver entered on May 21,	)
2021 in the General Court of Justice, Superior	)
Court Division, County of Mecklenburg, State	)
of North Carolina, successor-in-interest to TM	)
Northlake Mall, LP,	)
	)
Plaintiff,	)
	)
v.	)
	)
AE OUTFITTERS RETAIL CO, and	)
AMERICAN EAGLE OUTFITTERS, INC.,	)
	)
Defendants.	)

**STIPULATION OF DISMISSAL**

Pursuant to Federal Rule of Procedure 41(a)(1)(A)(ii), Plaintiff SPINOSO REAL ESTATE GROUP, DLS, LLC, solely in the capacity as court appointed receiver pursuant to that certain Consent Judgment and Stipulated Order for Appointment of Receiver entered on May 21, 2021 in the General Court of Justice, Superior Court Division, County of Mecklenburg, State of North Carolina, successor-in-interest to TM Northlake Mall, LP (“**Plaintiff**”) and Defendants AE OUTFITTERS RETAIL CO and AMERICAN EAGLE OUTFITTERS, INC. (“**Defendants**”) hereby dismiss, with prejudice, the above captioned matter, including all claims alleged in Plaintiff’s Complaint for Breach of Lease and Defendants’ Counterclaims, each party to bear its own attorneys’ fees and costs.

So stipulated and agreed, this 6th day of February, 2024.

AE OUTFITTERS RETAIL CO and  
AMERICAN EAGLE OUTFITTERS

By: /s/ William R. Terpening  
One of their Attorneys

William R. Terpening  
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Court Division, County of Mecklenburg,  
State of North Carolina, successor-in-interest  
to TM Northlake Mall, LP

By: /s/ John B. Honeycutt, Jr.  
One of its Attorneys

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- and -

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